

CUSTODY, INT-SPA, TERMED

**U.S. District Court
District of New Mexico - Version 4.0.3 (Albuquerque)
CRIMINAL DOCKET FOR CASE #: 1:09-cr-00904-LH-1**

Case title: USA v. Torres-Gomez

Date Filed: 04/09/2009

Date Terminated: 03/31/2010

Assigned to: District Judge C. LeRoy
Hansen

Defendant (1)

Gabriel Torres-Gomez
TERMINATED: 03/31/2010

represented by **Jean A McCray**
Law Office of Jean A. McCray
851 Silver Avenue, SW
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

21:841(a)(1) and 21:841(b)(1)(C):
POSSESSION WITH INTENT TO
DISTRIBUTE HEROIN
(1)

Disposition

SENTENCE IMPOSED: CBOP 343
days or time served; 3 years
unsupervised release w/special
conditions; ICE to begin removal
proceedings; SPA waived; deft in
custody

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Linda Mott**

United States Attorney's Office
 District of New Mexico
 Post Office Box 607
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 505-346-7274
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Norman Cairns

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Date Filed	#	Docket Text
04/09/2009	<u>2</u>	REDACTED INDICTMENT by USA as to Gabriel Torres-Gomez (mk) (Entered: 04/10/2009)
04/22/2009		Case unsealed as to Gabriel Torres-Gomez (kd) (Entered: 04/22/2009)
04/22/2009		Arrest of Gabriel Torres-Gomez (kd) (Entered: 04/22/2009)
04/22/2009		Set Hearings as to Gabriel Torres-Gomez: Initial Appearance set for 4/23/2009 at 9:30 AM in Albuquerque - 340 Pecos Courtroom before Magistrate Judge Don J. Svet. (kd) (Entered: 04/22/2009)
04/23/2009		Attorney update in case as to Gabriel Torres-Gomez. Attorney Jean A McCray for Gabriel Torres-Gomez added. (ma) (Entered: 04/23/2009)
04/23/2009	<u>4</u>	Clerk's Minutes before Magistrate Judge Don J. Svet: Initial Appearance as to Gabriel Torres-Gomez held; Arraignment/Detention set for 4/24/2009 09:30 AM in Albuquerque - 340 Pecos Courtroom; deft held in custody of USMS (Tape #FTR-Peco s@ 10:24 am)(Interpreter: M. Lozano) (kd) (Entered: 04/23/2009)
04/23/2009	<u>5</u>	ORAL ORDER of Temporary Detention pending hearing as to Gabriel Torres-Gomez by Magistrate Judge Don J. Svet [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.](kd) (Entered: 04/23/2009)
04/23/2009	<u>7</u>	MOTION to Detain by USA as to Gabriel Torres-Gomez. (mk) (Entered: 04/23/2009)

		04/23/2009)
04/23/2009	<u>8</u>	CJA 20: Appointment of Attorney Jean A McCray for Gabriel Torres-Gomez by Magistrate Judge Don J. Svet (mk) (Entered: 04/24/2009)
04/24/2009		Judge update in case as to Gabriel Torres-Gomez. District Judge C. LeRoy Hansen added. (kd) (Entered: 04/24/2009)
04/24/2009	<u>9</u>	Clerk's Minutes before Magistrate Judge Don J. Svet: Arraignment/Detention as to Gabriel Torres-Gomez (1) Count 1 held; deft pleads not guilty; attorney Ben Wilson Jean McCray present; motions due 5/14/09; Court to notify of trial date; deft remanded to custody of USMS (Tape #FTR-Pecos @ 10:28 am) (Interpreter: J.J. Pena) (kd) (Entered: 04/24/2009)
04/24/2009	<u>10</u>	ORDER OF DETENTION by Magistrate Judge Don J. Svet as to Gabriel Torres-Gomez re: <u>7</u> MOTION to Detain filed by USA (kd) (Entered: 04/24/2009)
04/24/2009	<u>11</u>	DISCOVERY ORDER as to Gabriel Torres-Gomez by Magistrate Judge Don J. Svet (kd) (Entered: 04/24/2009)
04/28/2009	<u>12</u>	ARREST Warrant Returned Executed on 4/22/2009 as to Gabriel Torres-Gomez. (jrm) (Entered: 04/29/2009)
05/04/2009	<u>13</u>	NOTICE OF TRIAL as to Gabriel Torres-Gomez: Jury Instructions due by 6/15/2009. Motions in Limine due by 6/8/2009. Responses to said motions due by 6/15/2009. Jury Selection/Trial set for 6/22/2009 @ 08:30 AM in Albuquerque - 420 Mimbres Courtroom before District Judge C. LeRoy Hansen. (jrm) (Entered: 05/04/2009)
06/05/2009	<u>14</u>	First Unopposed MOTION to Continue <i>Trial Setting of June 22, 2009</i> by Gabriel Torres-Gomez. (McCray, Jean) Modified on 6/8/2009 (jrm). (Entered: 06/05/2009)
06/12/2009	<u>15</u>	ORDER TO CONTINUE - Ends of Justice as to Gabriel Torres-Gomez Time excluded from 6/12/2009 until 9/21/2009. Terminated document(s): <u>14</u> Unopposed MOTION to Continue <i>Trial Setting of June 22, 2009</i> filed by Gabriel Torres-Gomez by Senior District Judge C. LeRoy Hansen Jury Trial is RESET for 9/21/2009 at 8:30 AM in Albuquerque - 420 Mimbres Courtroom before Senior District Judge C. LeRoy Hansen. (bap) (Entered: 06/12/2009)
08/31/2009	<u>16</u>	Unopposed MOTION to Continue <i>Trial Setting of September 21, 2009</i> by Gabriel Torres-Gomez. (McCray, Jean) (Entered: 08/31/2009)
09/10/2009	<u>17</u>	ORDER TO CONTINUE - Ends of Justice as to Gabriel Torres-Gomez Time excluded from 9/10/2009 until 11/16/2009. Terminated document(s): <u>16</u> Unopposed MOTION to Continue <i>Trial Setting of September 21, 2009</i> filed by Gabriel Torres-Gomez by District Judge C. LeRoy Hansen ; Jury Selection/Trial reset for 11/16/2009 @ 08:30 AM in Albuquerque - 420 Mimbres Courtroom before District Judge C. LeRoy Hansen. (jrm) (Entered: 09/10/2009)
09/10/2009	<u>18</u>	Unopposed MOTION for Extension of Time to File <i>Pretrial Motions/Motions in Limine</i> by Gabriel Torres-Gomez. (McCray, Jean) (Entered: 09/10/2009)

09/16/2009	<u>19</u>	ORDER by District Judge C. LeRoy Hansen granting <u>18</u> Defendant's Unopposed Motion for Extension of Time until November 6, 2009 in which to File Pretrial Motions as to Gabriel Torres-Gomez (1) (jrm) (Entered: 09/16/2009)
10/28/2009	<u>20</u>	ORDER by District Judge C. LeRoy Hansen regarding requirements for motions to continue in criminal cases as to Gabriel Torres-Gomez (dmw) (Entered: 10/28/2009)
11/02/2009	<u>21</u>	Unopposed MOTION to Continue <i>Trial Setting of November 16, 2009</i> by Gabriel Torres-Gomez. (McCray, Jean) (Entered: 11/02/2009)
11/03/2009	<u>22</u>	MOTION to Suppress <i>and Memorandum in Support Thereof</i> by Gabriel Torres-Gomez. (McCray, Jean) (Entered: 11/03/2009)
11/04/2009	<u>23</u>	ORDER TO CONTINUE - Ends of Justice as to Gabriel Torres-Gomez Time excluded from 11/04/09 until 01/19/10. Terminated document(s): <u>21</u> Unopposed MOTION to Continue <i>Trial Setting of November 16, 2009</i> filed by Gabriel Torres-Gomez; Jury Selection/Trial reset for 1/19/2010 at 08:30 AM in Albuquerque - 420 Mimbres Courtroom before District Judge C. LeRoy Hansen and attached deadlines(ln) (Entered: 11/04/2009)
11/23/2009	<u>24</u>	MOTION for Extension of Time to File Response/Reply as to <u>22</u> MOTION to Suppress <i>and Memorandum in Support Thereof</i> by USA as to Gabriel Torres-Gomez. (Cairns, Norman) Modified text on 11/24/2009 (dmw). (Entered: 11/23/2009)
11/25/2009	<u>25</u>	ORDER by District Judge C. LeRoy Hansen granting <u>24</u> Motion for Extension of Time to File Response to Motion to Suppress until 11/30/2009 as to Gabriel Torres-Gomez (1) (dmw) (Entered: 11/25/2009)
11/30/2009	<u>26</u>	RESPONSE to Motion by USA as to Gabriel Torres-Gomez re <u>22</u> MOTION to Suppress <i>and Memorandum in Support Thereof</i> (Cairns, Norman) (Entered: 11/30/2009)
12/26/2009	<u>27</u>	RESPONSE to Motion by USA as to Gabriel Torres-Gomez re <u>22</u> MOTION to Suppress <i>and Memorandum in Support Thereof</i> (Cairns, Norman) (Entered: 12/26/2009)
01/07/2010	<u>28</u>	NOTICE OF HEARING ON MOTION in case as to Gabriel Torres-Gomez <u>22</u> MOTION to Suppress <i>and Memorandum in Support Thereof</i> : Motion Hearing set for 1/27/2010 10:00 AM in Albuquerque - 420 Mimbres Courtroom before District Judge C. LeRoy Hansen. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (jmg) (Entered: 01/07/2010)
01/14/2010	<u>29</u>	ORDER TO CONTINUE - Ends of Justice as to Gabriel Torres-Gomez by District Judge C. LeRoy Hansen: Jury Selection/Trial reset for 2/22/2010 at 08:30 AM in Albuquerque - 420 Mimbres Courtroom before District Judge C. LeRoy Hansen. (dmw) (Entered: 01/14/2010)
01/20/2010	<u>30</u>	REPLY TO RESPONSE to Motion by Gabriel Torres-Gomez re <u>22</u> MOTION to Suppress <i>and Memorandum in Support Thereof</i> (McCray, Jean) (Entered: 01/20/2010)

		01/20/2010)
01/20/2010	31	MINUTE ORDER, pursuant to the direction of District Judge C. LeRoy Hansen, as to Gabriel Torres-Gomez PLEASE TAKE NOTICE THAT THE TIME OF THE MOTION HEARING HAS BEEN RESET. Motion Hearing set for 1/27/2010 at 09:30 AM in Albuquerque - 420 Mimbres Courtroom. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (jmg) (Entered: 01/20/2010)
01/25/2010	32	NOTICE OF ATTORNEY APPEARANCE Linda Mott appearing for USA. <i>as co-counsel</i> (Mott, Linda) (Entered: 01/25/2010)
01/25/2010	33	MOTION to Continue <i>Motion setting</i> by USA as to Gabriel Torres-Gomez. (Attachments: # 1 Supplement Order)(Mott, Linda) (Entered: 01/25/2010)
01/25/2010		Attorney update in case as to Gabriel Torres-Gomez. Attorney Linda Mott for USA added. (dmw) (Entered: 01/26/2010)
01/26/2010	34	MINUTE ORDER, pursuant to the direction of District Judge C. LeRoy Hansen, vacating the motion hearing set for 1/27/10 at 9:30 a.m. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (jmg) (Entered: 01/26/2010)
01/28/2010	35	ORDER by District Judge C. LeRoy Hansen as to Gabriel Torres-Gomez, Granting 33 MOTION to Continue <i>Motion setting</i> filed by USA. Motion Hearing set for 3/10/2010 at 10:00 AM in Albuquerque - 420 Mimbres Courtroom. (jmg) (Entered: 01/28/2010)
01/28/2010	36	ORDER TO CONTINUE - Ends of Justice as to Gabriel Torres-Gomez Time excluded from 1/28/2010 until 4/19/2010. by Senior District Judge C. LeRoy Hansen Jury Selection/Trial is RESET for 4/19/2010 at 08:30 AM in Albuquerque - 420 Mimbres Courtroom before Senior District Judge C. LeRoy Hansen. (bap) (Entered: 01/29/2010)
03/02/2010	38	NOTICE of <i>Expert Testimony</i> by USA as to Gabriel Torres-Gomez (Attachments: # 1 Supplement Resume of Expert)(Mott, Linda) (Entered: 03/02/2010)
03/10/2010	39	Clerk's Minutes for proceedings held on 3/10/2010 before District Judge C. LeRoy Hansen: Motion Hearing as to Gabriel Torres-Gomez re 22 MOTION to Suppress <i>and Memorandum in Support Thereof</i> filed by Gabriel Torres-Gomez ; Court denies motion. (Court Reporter: J. De La Rosa) (jrm) (Entered: 03/10/2010)
03/12/2010	40	NOTICE OF HEARING as to Gabriel Torres-Gomez Change of Plea Hearing set for 3/16/2010 at 01:30 PM in Albuquerque - 520 Gila Courtroom before Magistrate Judge Alan C. Torgerson. [<i>Interpreter Needed</i>](dds) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 03/12/2010)

03/16/2010	<u>41</u>	CONSENT TO PLEA BEFORE US MAGISTRATE JUDGE by Gabriel Torres-Gomez (mk) (Entered: 03/16/2010)
03/16/2010	<u>42</u>	PLEA AGREEMENT as to Gabriel Torres-Gomez (mk) (Entered: 03/16/2010)
03/16/2010	<u>43</u>	Clerk's Minutes for proceedings held before Magistrate Judge Alan C. Torgerson: Plea Hearing as to Gabriel Torres-Gomez held on 3/16/2010; Guilty Plea entered to the Indictment; court to notify of sentencing date; EXPEDITED Presentence report ordered; deft remains in custody (Tape #:FTR-Gila @ 3:14 pm)(Interpreter: Bethany Korp-Edwards) (mlg) (Entered: 03/17/2010)
03/17/2010	<u>44</u>	ORDER by District Judge C. LeRoy Hansen denying <u>22</u> Defendant's Motion to Suppress as to Gabriel Torres-Gomez (1) (jrm) (Entered: 03/17/2010)
03/22/2010	<u>45</u>	NOTICE OF HEARING as to Gabriel Torres-Gomez Sentencing set for 3/30/2010 at 10:00 AM in Albuquerque - 420 Mimbres Courtroom before District Judge C. LeRoy Hansen. [Interpreter Needed](jmg) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 03/22/2010)
03/29/2010	<u>46</u>	NOTICE OF HEARING as to Gabriel Torres-Gomez Sentencing re-set for 3/31/2010 at 10:00 AM in Albuquerque - 420 Mimbres Courtroom before District Judge C. LeRoy Hansen. Hearing scheduled for 3/30/2010 is vacated. [Interpreter Needed](nm) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 03/29/2010)
03/31/2010	<u>47</u>	Clerk's Minutes for proceedings held before District Judge C. LeRoy Hansen: Sentencing held on 3/31/2010 for Gabriel Torres-Gomez (1), Count(s) 1, SENTENCE IMPOSED: CBOP 343 days or time served; 3 years unsupervised release w/special conditions; ICE to begin removal proceedings; SPA waived; deft in custody. (Court Reporter: T. Garrett)(Interpreter: Michael Kagan) (dmw) (Entered: 03/31/2010)
04/06/2010	<u>48</u>	JUDGMENT by District Judge C. LeRoy Hansen as to Defendant Gabriel Torres-Gomez (jmg) (Entered: 04/06/2010)
04/08/2010	<u>50</u>	Judgment Returned Executed as to Gabriel Torres-Gomez on 3/31/2010; defendant delivered to USMS - DNM. (jrm) (Entered: 04/08/2010)

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